

**Board of Supervisors**  
**Thursday, October 8th, 2009 @ 6:30 PM**  
**Lynn Twp.-7911 Kings Hgwy., New Tripoli**

**Call to Order:** The regular meeting of the Lynn Township Board of Supervisors was called to order by Chairman Kermit E. DeLong Jr., at 6:30 pm in the Municipal Building. Present were Chairman Kermit E. DeLong Jr., Vice Chairman David C. Najarian Member Thomas C. Creighton III, Zoning Officer/Township Manager Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Solicitor Marc Fisher, NW Press reporter Ken Petrini, and approximately 32 citizens.

**Pledge of Allegiance:** The Pledge of Allegiance was conducted.

**Public Comment:** (1) Resident, Mara Beck reported that 14 Ontelaunee tote bags were sold at pioneer days. (2) Vice Chairman Dave Najarian clarified that he did not intentionally avoid the previous board meeting on September, 10, 2009 and that he did forward an email to Chairman Kermit DeLong and also suggested that he would be in favor of rescheduling the meeting. Kermit DeLong stated that Dave Najarian did inform him the week prior that he would be unable to attend. Kermit DeLong chose not to reschedule the meeting and kept the meeting as scheduled for the 10<sup>th</sup> of September. (3) New Tripoli Fire Company's Fire Chief Dennis Snyder presented the BOS with a proposal for a new rescue truck. The engine in the current rescue truck blew during a call on mountain road, Heidelberg Township. Dennis Snyder reported that the engine has since been repaired. The rescue truck is shared by Germansville, New Tripoli, Lynnport and Weisenberg fire companies but is housed at the New Tripoli Fire Company. A committee was formed to discuss the purchase of a new rescue truck. Dennis Snyder has been attending board meetings of the local townships asking for contributions of either 5K for 10 years or 10K for 5 years. Dennis Snyder also noted that the cost of the rescue truck will be 458K and will be increasing another 50k the first of the year. Dennis Snyder added that they will be speaking with local businesses such as Nestle, Air Products for further financial assistance. Federal grants are very difficult to obtain for rescue trucks and state grants are for equipment and are matching grants. Dave Najarian suggested that the issue should be discussed at the 6 Twp. meeting when all townships involved are present. The BOS were in agreement of supporting the funds for the new rescue truck and Dave Najarian added that he would like to hear what commitments the other townships will be committing to and that Lynn Township is willing to carry their load. (4) Resident, Dennis Snyder presented the BOS with a print out of a portion of the Eckville Press and asked if the BOS knew who the blogger was. Dave Najarian stated that he does not know who it is and that he has told Dennis Snyder prior that it is most certainly not him. (5) Resident Dennis Snyder also asked the BOS were they were with the policy for emergency volunteers who are employees of the township. Dave Najarian responded that a policy has been drafted and that there were a few issues with the draft and that the policy will ready for adoption.

**Accept the Minutes and Direct the Treasurer to pay the bills:** A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to accept the minutes from 09/10/09 BOS meeting as well as the minutes from the Budget meeting 08/30/09. Motion carried unanimously. A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to direct the treasurer to pay the bills. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention in January 2008 because he recused himself in the event a bill would need to be paid to the Lynnport Fire Company. Motion carried.

**Subdivision:** Barton Kester, 1<sup>st</sup> review final: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant waiver 426.1 and 431.10. Motion carried unanimously. A second motion was made by David C. Najarian and seconded by Thomas C. Creighton granting conditional final approval subject on formalization of written waivers and changes in plan notation for maintenance of driveway to read "equal basis".. Motion carried unanimously. Larry & Renee Bachman, sewage planning module: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt Resolution 2009-19 A RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT. Motion carried unanimously.

**Park Report:** Richard Matthias, Park Manager, reported for the month of September: (1) Finished swing set at Tot-Lot (2) Erected new sign at soccer field. (3) Weeded flower beds. (4) Cleaned up all tree branches that Tamarack cut down for the township. (5) Filled in topsoil around trees in the park. (6) Mulched trees around playground area. (7) Replaced light bulb at the pillar at entrance to park. (8) Replaced light bulb for the flag pole. (9) Repaired the light that was broken from high wind. (10) Mowed grass and weed whacked (General Maintenance) a.) Dave Najarian asked Richard Matthias if there were any issues at the tot-lot. Richard Matthias reported that he has not seen or heard of any problems. b.) Richard Matthias stated that the flag pole dedication during Pioneer Day's went well.

**Road Report:** Bruce Raber, Roadmaster, reported for the month of September: (1) Cleaned out all storm boxes. (2) Boom mowed and weed whack at transfer station. (3) Helped Heidelberg Township with small paving projects. (4) Removed old tank from park. (5) Did pothole repairs on black top roads. (6) Opened 2 blocked pipes with the assistance of Lynnport Fire Company. (7) Made repairs to bridge on Hoffman Ct. (8) Made repairs and painted salt spreaders. (9) Started cutting shoulders on black top roads where needed. (10) Worked on dirt roads. (11) Line painted. (12) Had 2 township septic tanks pumped. Anticipated work for October: (1) Continue cutting shoulders of roads where needed. (2) Work on salt spreaders and plows, on rainy days. (3) Start tree trimming. A motion was made by Thomas C. Creighton

and seconded by Kermit E. DeLong to donate \$500 to the Lynnport Fire Company as a donation for the 6 loads of water that the fire company supplied to open up blocked pipes in Lynn Township. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention in January 2008 to recuse himself with any connection to the Lynnport Fire Company. Motion carried.

**Budget/CPA Audit:** Kermit DeLong and Tom Creighton were both in favor of not advertising for proposals to appoint an outside audit firm for the 2009 audit. Dave Najarian was in favor of submitting the advertisement.

**Miscellaneous:** Kevin Deppe reported the following: (1) **The Wild land Conservancy** is asking the township to approve a resolution for the Jordan Creek Greenway feasibility study. A resolution stating that the Lynn Township BOS are in agreement with the feasibility study. The issue is tabled till the next meeting. Dave Najarian stated that he would like to look over the study. (2) **Cell Tower proposal:** Kevin Deppe explained that cell companies are decommissioning towers. Companies, such as the company that have sent us a proposal, are offering to buy out the lease for an upfront amount of money that does not need to be paid back, then they will offer service on the lease to other companies that have no availability in our area. If other vendors jump on board with the lease the township would receive 50% of the income from each vendor. A motion was made by David C. Najarian and seconded by Kermit E. DeLong to forward the proposed information to Solicitor Marc Fisher for investigation. Motion carried unanimously. Resident Brian Dietrich stated that he received the similar proposal and chose to stay with his existing lease. (3) **No Kill Shelter agreement:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to have the Township Manager sign the agreement with Peaceable Kingdom for the pick up of stray dogs at the cost of \$70 per dog and which also provides contacts for Lynn Township for the trap/neuter/return of stray cats at no cost to the township with the agreement beginning on January 1, 2010 and to continue for a period of one calendar year until December 31, 2010 but can be terminated after the 1<sup>st</sup> quarter upon ninety days prior written notice by either party hereto. Motion carried unanimously. Kermit DeLong reported the following: (1) Kermit DeLong spoke with Glenn Ed Maurer concerning the issue of adding an EAC member to the committee to enable the committee to have quorum. Dave Najarian suggested Resident Mel Charles who served on the committee previously. Mel Charles stated that she would be willing to look at the advertisement. (2) Kermit DeLong spoke with Willard Snyder, President of the Historical Society concerning the Bank Barn that the Historical Society will be placing in the park. Dave Najarian stated that the Historical Society has spent lots of money on purchasing historical monuments that have been placed in the park on land which is not owned by the Historical Society which then becomes the owner's property. Dave Najarian suggested that a lease be drafted between the Historical Society and Lynn Township for 100 years at the cost of \$1.00 which would provide protection for both parties involved. Dave Najarian quoted the May 14<sup>th</sup> BOS minutes in which Willard Snyder stated that there has been no agreement for the last 10 years and has no problem with it remaining the same. Residents Mara Beck and Richard Metzger stated that they thought there was a 99 year lease in existence. Tom Creighton stated that he understood Willard Snyder's comment at the May meeting because the BOS have always been pro sponsors of the Historical Society. Kevin Deppe has documentation from 2005 between Ed Healy and Kenny Bleiler concerning not only a 99 year lease but also the status of the historical building and whether or not they were registered under historical building either with the state or federal government. Kermit DeLong stated that he would speak with Willard Snyder concerning an agreement between the Historical Society and the township. David C. Najarian stated that in the event we have permission from the historical society he made a motion seconded by Thomas C. Creighton authorizing Marc Fisher to prepare a draft agreement. Motion carried unanimously. Kevin Deppe added that Lynn Township currently pays insurance coverage on the historical buildings and would also be paying insurance on the contents of what would be in the bank barn. Dave Najarian stated that if an agreement is adopted stating that the Historical Society has ownership, Lynn Township no longer needs to provide coverage and the Historical Society will need to retain coverage. (3) Kevin Deppe reported that he received a review letter from LCCD and the letter stated that before anything else is put in the park which requires ground disturbance a new NPDS permit will be required. The cost of the permit for 5 years which would cover the entire park would be around 17K. The cost for the bank barn would be approximately \$2,750. Dave Najarian stated that the Historical Society has promised to bare all cost.

**Public Comment:** (1) Resident Rod Beck asked where the township is in reference to the draft policy concerning emergency volunteers who are employees of the township. Dave Najarian stated that 2 drafts have been submitted but is not ready yet. A completed draft will be ready by the November 12, 2009 BOS meeting. (2) A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to make Richard Matthias part time, paid at his regular rate effective November 1, 2009 thru April 1, 2010. Motion carried unanimously. (3) State Representative reported that the state is half way through their budget. Bruce Raber asked how the 2010 Liquid Fuel Funds will be affected. Gary Day stated that he could not commit to an exact answer but that the funds may be 10% to 20% less than before.

**Announcements:** None

**Adjournment:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:15 pm.

**As of October 31, 2009**

| Account      | Balance    |
|--------------|------------|
| General Fund | 471,014.11 |

|                    |                     |
|--------------------|---------------------|
| Capital Reserve    | 461,697.46          |
| Zoning/Subdivision | 12,590.87           |
| HLLW COG           | 41,973.91           |
| State Road         | 13,435.30           |
| Street Light       | 3,148.22            |
| Park               | 27,504.61           |
| Recreation         | 25,314.82           |
| <b>Total</b>       | <b>1,056,679.30</b> |

|  | <u>Oct 09</u>    |
|--|------------------|
| <b>Income-GENERAL FUND</b>                           |                  |
| <b>301 · Real Property Taxes</b>                     |                  |
| 301.10 · Real Estate Tax-Current                     | 243.06           |
| 301.40 · Delinquent RE Tax-Tax Claim                 | 1,304.67         |
| 301.60 · Real Estate Tax-Interim-Current             | <u>19.32</u>     |
| <b>Total 301 · Real Property Taxes</b>               | <b>1,567.05</b>  |
| <b>310 · Local Tax Enabling Act</b>                  |                  |
| 310.10 · Real Estate Transfer Tax                    | 9,783.34         |
| 310.20 · Earned Income Tax                           |                  |
| 310.21 · Earned Income Tax-Current                   | <u>34,707.78</u> |
| <b>Total 310.20 · Earned Income Tax</b>              | <b>34,707.78</b> |
| <b>Total 310 · Local Tax Enabling Act</b>            | <b>44,491.12</b> |
| <b>331 · Fines</b>                                   |                  |
| 331.10 · Court - Magistrate                          | <u>106.65</u>    |
| <b>Total 331 · Fines</b>                             | <b>106.65</b>    |
| <b>342 · Interest, Rents &amp; Royalties</b>         |                  |
| 342.53 · Royalties from Cell Tower Rent              | <u>1,100.00</u>  |
| <b>Total 342 · Interest, Rents &amp; Royalties</b>   | <b>1,100.00</b>  |
| <b>355 · Shared Revenue &amp; Entitlements</b>       |                  |
| 355.01 · PURTA-Public Utility Realty Tax             | <u>1,025.72</u>  |
| <b>Total 355 · Shared Revenue &amp; Entitlements</b> | <b>1,025.72</b>  |
| <b>360 · Gen. Govt. Charges for Services</b>         |                  |
| <b>361 · General Government</b>                      |                  |
| 361.94 · Misc. Billing                               | <u>385.00</u>    |
| <b>Total 361 · General Government</b>                | <b>385.00</b>    |
| <b>362 · Public Safety</b>                           |                  |
| <b>362.40 · Protective Inspection Fees</b>           |                  |
| <b>362.41 · Building Permit</b>                      |                  |
| 362.41A · Permit for Ag. Bldg.                       | 75.00            |
| 362.41B · BLDG/Alter/Repair Permit                   | 1,141.00         |
| 362.41D · Driveway Permit                            | 50.00            |
| 362.41F · Building Permit Filed                      | 400.00           |
| 362.41N · Re-inspection                              | 150.00           |
| 362.41R · Renew BLDG, Zone, Plumb                    | 425.00           |
| 362.41S · Accessory Struc < 1000 ft                  | <u>75.00</u>     |
| <b>Total 362.41 · Building Permit</b>                | <b>2,316.00</b>  |
| 362.42 · Electrical Permit                           | 372.00           |
| 362.43 · Plumbing Permit                             | 516.00           |
| 362.44 · Sewage Permits (SEO Fees)                   | <u>1,190.00</u>  |
| <b>Total 362.40 · Protective Inspection Fees</b>     | <b>4,394.00</b>  |
| 362.99 · Logging/Timber Harvest                      | <u>150.00</u>    |
| <b>Total 362 · Public Safety</b>                     | <b>4,544.00</b>  |
| <b>364 · Sanitation</b>                              |                  |
| 364.30 · Solid Waste Collection/Disposal             | <u>1,412.50</u>  |

|   |                         |
|---|-------------------------|
| Total 364 · Sanitation                      | <u>1,412.50</u>         |
| Total 360 · Gen. Govt. Charges for Services | 6,341.50                |
| 389 · Unclassified Income                   | 10.00                   |
| 395 · Refunds of Prior Yr Expenditure       |                         |
| 395.99 · Refunds of Prior Year Exp.         | <u>6,133.00</u>         |
| Total 395 · Refunds of Prior Yr Expenditure | <u>6,133.00</u>         |
| <b>Total Income</b>                         | <b><u>60,775.04</u></b> |

Expense

|   |                 |
|---|-----------------|
| 400 · General Government                    |                 |
| 400.00 · Legislative (Governing) Body       |                 |
| 400.05 · Supervisor Salaries                | <u>275.86</u>   |
| Total 400.00 · Legislative (Governing) Body | 275.86          |
| 403 · Tax Collection                        |                 |
| 403.16 · Commission Paid as Compensation    | <u>3,942.84</u> |
| Total 403 · Tax Collection                  | 3,942.84        |
| 404 · Solicitor/Legal Services              | 598.83          |
| 405 · Secretary/Clerk                       |                 |
| 405.12 · Salary Township Secretary          | <u>2,118.93</u> |
| Total 405 · Secretary/Clerk                 | 2,118.93        |
| 406 · Other General Govt. Admin             |                 |
| 406.12 · Salary Full Time Staff             | 1,943.18        |
| 406.21 · Office Supplies                    | 266.93          |
| 406.23 · Postage                            | 385.00          |
| 406.32 · Communication - Phone/Wireless     | 514.38          |
| 406.33 · Travel Expense                     | 66.98           |
| 406.34 · Advertising                        | 21.80           |
| 406.38 · Rentals                            | 595.57          |
| 406.46 · Mtg., Conf., Cont.Ed.              | 61.46           |
| 406.99 · Payroll                            | <u>110.54</u>   |
| Total 406 · Other General Govt. Admin       | 3,965.84        |
| 408 · Engineering Services                  |                 |
| 408.99 · Township engineer                  | <u>672.00</u>   |
| Total 408 · Engineering Services            | 672.00          |
| 409 · General Government Bldg&Plants        |                 |
| 409.36 · Public Utility Services (TWP)      | 650.17          |
| 409.37 · Repairs and Maint.                 | 2,543.75        |
| 409.44 · Laundry/Other Sanitary Services    | 309.75          |
| 409.99 · Heating - Oil/Propane              | <u>246.56</u>   |
| Total 409 · General Government Bldg&Plants  | <u>3,750.23</u> |
| Total 400 · General Government              | 15,324.53       |
| 410 · Public Safety                         |                 |
| 411 · Fire                                  |                 |
| 411.54 · Fire Co. Donations                 | <u>500.00</u>   |
| Total 411 · Fire                            | 500.00          |
| 412 · Ambulance/Rescue                      |                 |
| 412.98 · Fuel                               | <u>77.15</u>    |
| Total 412 · Ambulance/Rescue                | 77.15           |
| 413 · Code Enforcement                      |                 |
| 413.31 · Code enforcement pro. service      | 1,857.20        |
| 413.45 · Contracted Services                | <u>56.00</u>    |
| Total 413 · Code Enforcement                | 1,913.20        |
| 414 · Planning & Zoning                     |                 |
| 414.33 · Transportation Costs               | 732.60          |

|   |                  |
|---|------------------|
| 414.99 · Salary Zoning Officer              | 3,422.82         |
| Total 414 · Planning & Zoning               | 4,155.42         |
| 419 · Other Public Safety                   |                  |
| 419.99 · PA One Call                        | 3.40             |
| Total 419 · Other Public Safety             | 3.40             |
| Total 410 · Public Safety                   | 6,649.17         |
| 420 · Health and Human Services             |                  |
| 426 · Gen Gov Recycling Col & Dis           |                  |
| 426.15 · Transfer/Recycle Salaries          | 411.62           |
| 426.44 · Sanitation Services                | 869.82           |
| Total 426 · Gen Gov Recycling Col & Dis     | 1,281.44         |
| Total 420 · Health and Human Services       | 1,281.44         |
| 430 · Public Works Hwy,Rds,Streets          |                  |
| 437 · Repair of Tools & Machinery           |                  |
| 437.99 · Truck Repair                       | 4,770.24         |
| Total 437 · Repair of Tools & Machinery     | 4,770.24         |
| 438 · Road/Bridge Maint. and Repair         |                  |
| 438.14 · Salaries for Road Maint            | 8,340.97         |
| 438.25 · Repairs & Maint Supplies           | 1,347.60         |
| 438.47 · Drug & Alcohol Testing             | 120.00           |
| 438.99 · Truck Fuel                         | 1,255.96         |
| Total 438 · Road/Bridge Maint. and Repair   | 11,064.53        |
| Total 430 · Public Works Hwy,Rds,Streets    | 15,834.77        |
| 450 · Culture-Recreation                    |                  |
| 452 · Participant Recreation                |                  |
| 452.15 · Participant Recreation - P/T       | 433.16           |
| Total 452 · Participant Recreation          | 433.16           |
| 454 · GF Parks                              |                  |
| 454.12 · Parks full time staff (GF)         | 1,969.64         |
| 454.15 · Parks part time staff (GF)         | 687.87           |
| 454.33 · Travel Expense                     | 182.82           |
| Total 454 · GF Parks                        | 2,840.33         |
| Total 450 · Culture-Recreation              | 3,273.49         |
| 480 · Misc. Expense                         |                  |
| 481 · Employer paid Taxes                   |                  |
| 481.10 · Employer paid FiCA                 | 1,581.96         |
| 481.20 · Employer paid Medicare             | 369.97           |
| 481.30 · Employer paid Unemployment Comp    | 129.20           |
| Total 481 · Employer paid Taxes             | 2,081.13         |
| 487 · Other Group Insurance Benefits        |                  |
| 487.01 · Health Insurance                   | 9,023.69         |
| 487.02 · Life Insurance                     | 37.50            |
| Total 487 · Other Group Insurance Benefits  | 9,061.19         |
| 489 · All other unclassified Expenses       |                  |
| 489.98 · Clothing Allowance                 | 145.87           |
| 489.99 · EE withholding taxes               | 5,529.07         |
| Total 489 · All other unclassified Expenses | 5,674.94         |
| Total 480 · Misc. Expense                   | 16,817.26        |
| <b>Total Expense</b>                        | <b>59,180.66</b> |
| Net Income                                  | <b>1,594.38</b>  |

Oct 09

Income-LIGHT FUND

|   |                  |
|---|------------------|
| 383.11 · Street Lighting Tax            | 92.13            |
| <b>Total Income</b>                     | <b>92.13</b>     |
| <b>Expense</b>                          |                  |
| 434 · Street Lighting                   |                  |
| 434.36 · Street Lighting Electric       | 1,527.88         |
| <b>Total 434 · Street Lighting</b>      | <b>1,527.88</b>  |
| <b>Total Expense</b>                    | <b>1,527.88</b>  |
| <b>Net Income</b>                       | <b>-1,435.75</b> |
|   | <b>Oct 09</b>    |
| <b>Income-LIQUID FUEL FUND</b>          |                  |
|   | 0.00             |
| <b>Expense</b>                          |                  |
| 430 · LFF Public Works                  |                  |
| 438 · Maint./Repair Roads & Bridges     | 4,350.58         |
| <b>Total 430 · LFF Public Works</b>     | <b>4,350.58</b>  |
| <b>Total Expense</b>                    | <b>4,350.58</b>  |
| <b>Net Income</b>                       | <b>-4,350.58</b> |
|   | <b>Oct 09</b>    |
| <b>Income-RECREATION FUND</b>           |                  |
| 341.01 · Interest on Checking           | 5.20             |
| <b>Total Income</b>                     | <b>5.20</b>      |
| <b>Expense</b>                          | <b>0.00</b>      |
| <b>Net Income</b>                       | <b>5.20</b>      |
|   | <b>Oct 09</b>    |
| <b>Income-ESCROW FUND</b>               |                  |
| 361 · General Government                |                  |
| 361.96 · Subdivision Escrow Deposit     | 2,500.00         |
| <b>Total 361 · General Government</b>   | <b>2,500.00</b>  |
| <b>Total Income</b>                     | <b>2,500.00</b>  |
| <b>Expense</b>                          | <b>0.00</b>      |
| <b>Net Income</b>                       | <b>2,500.00</b>  |
|   | <b>Oct 09</b>    |
| <b>Income-PARK FUND</b>                 |                  |
| 341.01 · Interest on Checking           | 125.00           |
| 342.59 · Rental of Park Facilities      | 430.00           |
| <b>Total Income</b>                     | <b>555.00</b>    |
| <b>Expense</b>                          |                  |
| 454 · Parks                             |                  |
| 454.25 · Repairs & Maintenance Supplies | 961.37           |
| 454.31 · Park Professional Services     | 300.00           |
| 454.36 · Public Utilities               | 245.16           |
| 454.38 · Rental                         | 95.00            |
| 454.99 · Signs                          | 272.19           |
| <b>Total 454 · Parks</b>                | <b>1,873.72</b>  |
| <b>Total Expense</b>                    | <b>1,873.72</b>  |
| <b>Net Income</b>                       | <b>-1,318.72</b> |
| <b>Total Income (all accounts)</b>      | <b>63,927.37</b> |
| <b>Total Expense (all accounts)</b>     | <b>66,932.84</b> |
| <b>Net Income(all accounts)</b>         | <b>-3,005.47</b> |

Respectfully Submitted,

*Tammy M. White*  
 Tammy M. White  
 Secretary/Treasurer

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